



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Conduct a Public Hearing to Consider Introduction of Ordinance Amending Chapter 13.20 "Electrical Services," Section 200 Titled Schedule ED – Residential SHARE Program Service

MEETING DATE: August 17, 2011

PREPARED BY: Electric Utility Director


RECOMMENDED ACTION: Conduct a public hearing to consider introduction of ordinance amending Chapter 13.20 "Electrical Services," section 200 titled Schedule ED – Residential SHARE Program Service.

BACKGROUND INFORMATION: The original Schedule ED – Residential SHARE Program Service ordinance included the State of California Low Income Home Energy Assistance Program (LIHEAP) income guideline used in the same time period. Because we included the actual income guideline table rather than referencing the annual LIHEAP income guidelines the qualification for the rate has become increasingly difficult. The City of Lodi Finance Department works with LIHEAP to provide one-time help for our customers in need. The recommended change will be to replace special condition (c), eligibility criteria, with the reference to the LIHEAP income guideline.

This rate was created to provide continued monthly assistance.

FISCAL IMPACT: This change will have minor impact on the Electric Utility. The Electric Utility will recover its marginal cost to provide service.

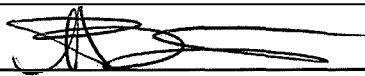
FUNDING: None required.


Elizabeth A Kirkley
Electric Utility Director

PREPARED BY: Kevin Bell, Electric Rate Analyst

EAK/KPB/lst

APPROVED:


Konradt Bartlam, City Manager

CITY OF LODI

ELECTRIC UTILITY DEPARTMENT

SCHEDULE ED

RESIDENTIAL SHARE PROGRAM SERVICE

APPLICABILITY:

Applicable to domestic service in single-family and multi-family dwellings separately metered by the City of Lodi where the customer meets all the Special Conditions of this rate schedule including those on discontinued All Electric SHARE rate schedule, EF.

RATES:

Customers under this schedule will have bills computed using the EA rate schedule less a 30% discount.

ENERGY COST ADJUSTMENT (ECA):

An energy cost adjustment shall be included in each bill for service as provided in Section 13.20.175 Schedule ECA – Energy Cost Adjustment.

BILLING CYCLE CHARGE (MONTHLY BILL):

The billing cycle charge is the higher of the sum of Minimum Charge and ECA or the sum of the Energy Charge and the ECA.

SPECIAL CONDITIONS:

- (a) When a business or commercial establishment is conducted in conjunction with a residence and both are measured through one meter, this rate does not apply.
- (b) This rate does not apply to service used for common area and facilities in multi-family dwellings.
- (c) Single Household Alternative Rate for Energy (SHARE) Eligibility: To be eligible to receive SHARE an applicant must complete an application and qualify based on the income eligibility criteria for State of California Low Income Home Energy Assistance Program.
- (d) Completed applications must be submitted to the City of Lodi Finance Department. The City of Lodi Finance Department shall certify the eligibility of all applicants.
- (e) All applicants will be required to certify income eligibility for the SHARE program. Customers must sign a statement upon application indicating that the City of Lodi may verify the Customer's eligibility at any time. If verification established that the Customer is ineligible, the Customer will be removed from the program and the City of Lodi may render corrective billings.
- (f) An additional discount is available as described in Schedule MR, Residential Medical Discount.

ATTACHMENT A

INCOME GUIDELINES COMPARISON TABLE

	2010 LIHEAP Income Guidelines	2011 LIHEAP Income Guidelines	Lodi Electric Income Guidelines	PG&E SMUD Income Guidelines
Household Number	Annual Income	Annual Income	Annual Income	Annual Income
1	\$29,791.32	\$24,867.44	\$22,000	\$31,800
2	\$38,957.88	\$32,518.96	\$22,000	\$31,800
3	\$48,124.44	\$40,170.48	\$25,900	\$37,400
4	\$57,291.00	\$47,822.00	\$31,100	\$45,100
5	\$66,457.56	\$55,473.52	\$36,300	\$52,800
6	\$75,624.12	\$63,125.04	\$41,500	\$60,500
7	\$77,342.85	\$64,559.70	\$46,700	\$68,200
8	\$79,061.58	\$65,994.36	\$51,900	\$75,900
9	\$80,780.31	\$67,429.02	\$57,100	\$83,600
10	\$82,499.04	\$68,863.68	\$62,300	\$91,300
11	\$84,217.77	\$70,298.34	\$67,500	\$99,000
12	\$85,936.50	\$71,733.00	\$72,700	\$106,700
13	\$87,655.23	\$73,167.66	\$77,900	\$114,400
14	\$89,373.96	\$74,602.32	\$83,100	\$122,100
15	\$91,092.69	\$76,036.98	\$88,300	\$129,800

ORDINANCE NO. _____

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING LODI
MUNICIPAL CODE CHAPTER 13.20, "ELECTRICAL SERVICE," BY
REPEALING AND REENACTING SECTION 13.20.200 –
SCHEDULE ED-RESIDENTIAL SHARE PROGRAM SERVICE

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Lodi Municipal Code Section 13.20.200 – "Schedule ED – Residential SHARE Program Service" is hereby repealed and reenacted to read as follows:

APPLICABILITY:

Applicable to domestic service in single-family and multi-family dwellings separately metered by the City of Lodi where the customer meets all the Special Conditions of this rate schedule including those on discontinued All Electric SHARE rate schedule, EF.

RATES:

Customers under this schedule will have bills computed using the EA rate schedule less a 30% discount.

ENERGY COST ADJUSTMENT (ECA):

An energy cost adjustment shall be included in each bill for service as provided in Section 13.20.175 Schedule ECA – Energy Cost Adjustment.

BILLING CYCLE CHARGE (MONTHLY BILL):

The billing cycle charge is the higher of the sum of Minimum Charge and ECA or the sum of the Energy Charge and the ECA.

SPECIAL CONDITIONS:

- (a) When a business or commercial establishment is conducted in conjunction with a residence and both are measured through one meter, this rate does not apply.
- (b) This rate does not apply to service used for common area and facilities in multi-family dwellings.
- (c) Single Household Alternative Rate for Energy (SHARE) Eligibility: To be eligible to receive SHARE an applicant must complete an application and qualify based on the income eligibility criteria for State of California Low Income Home Energy Assistance Program.
- (d) Completed applications must be submitted to the City of Lodi Finance Department. The City of Lodi Finance Department shall certify the eligibility of all applicants.
- (e) All applicants will be required to certify income eligibility for the SHARE program. Customers must sign a statement upon application indicating that the City of Lodi may verify the Customer's eligibility at any time. If verification established that the Customer is ineligible, the Customer will be removed from the program and the City of Lodi may render corrective billings.
- (f) An additional discount is available as described in Schedule MR, Residential Medical Discount.

SECTION 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide

a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 5. This ordinance shall be published pursuant to law and shall become effective 30 days from the date of passage and adoption.

SECTION 6. The amended Schedules referenced above shall be effective on applicable electric utility billings prepared by the City of Lodi on or after November 1, 2011, or the first date allowable under State law.

Approved this ____ day of _____, 2011

BOB JOHNSON
MAYOR

ATTEST:

RANDI JOHL
City Clerk

State of California
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held August 17, 2011, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held _____, 2011, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

RANDI JOHL
City Clerk

Approved to Form:

D. STEPHEN SCHWABAUER
City Attorney



*Please immediately confirm receipt
of this fax by calling 333-6702*

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: PUBLIC HEARING TO CONSIDER INTRODUCING AN ORDINANCE
AMENDING CHAPTER 13.20 - ELECTRICAL SERVICE - SECTION 175
TITLED, "SCHEDULE ECA - ENERGY COST ADJUSTMENT" and
INTRODUCING AN ORDINANCE AMENDING CHAPTER 13.20 -
ELECTRICAL SERVICE - SECTION 200 TITLED, "SCHEDULE ED -
RESIDENTIAL SHARE PROGRAM SERVICE"

PUBLISH DATE: SATURDAY, AUGUST 6, 2011


LEGAL AD

TEAR SHEETS WANTED: One (1) please

SEND AFFIDAVIT AND BILL TO: RANDI JOHL, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, AUGUST 4, 2011

ORDERED BY: RANDI JOHL
CITY CLERK


JENNIFER M. ROBISON, CMC
ASSISTANT CITY CLERK

MARIA BECERRA
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper - Copy to File

Faxed to the Sentinel at 369-1084 at _____ (time) on _____ (date) _____ (pages)
LNS _____ Phoned to confirm receipt of all pages at _____ (time) _____ JMP _____ MB _____ CF (initials)



DECLARATION OF POSTING

**PUBLIC HEARING TO CONSIDER INTRODUCING AN ORDINANCE AMENDING
CHAPTER 13.20 – ELECTRICAL SERVICE – SECTION 175 TITLED, “SCHEDULE
ECA – ENERGY COST ADJUSTMENT” and INTRODUCING AN ORDINANCE
AMENDING CHAPTER 13.20 – ELECTRICAL SERVICE – SECTION 200 TITLED,
“SCHEDULE ED – RESIDENTIAL SHARE PROGRAM SERVICE”**

On Friday, August 5, 2011, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider introducing an ordinance amending Chapter 13.20 – Electrical Service – Section 175 titled, “Schedule ECA – Energy Cost Adjustment” and introducing an ordinance amending Chapter 13.20 – Electrical Service – Section 200 titled, “Schedule ED – Residential SHARE Program Service” (attached and marked as Exhibit A) was posted at the following locations:


Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 5, 2011, at Lodi, California.

ORDERED BY:

**RANDI JOHL
CITY CLERK**


JENNIFER M. ROBISON, CMC
ASSISTANT CITY CLERK

MARIA BECERRA
ADMINISTRATIVE CLERK



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: August 17, 2011

Time: 7:00 p.m.

For information regarding this notice please contact:

Randi Johl
City Clerk
Telephone: (209) 333-6702

EXHIBIT A

TICE OF PUBLIC HEARING

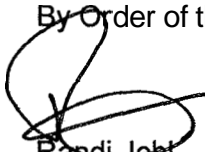
NOTICE IS HEREBY GIVEN that on **Wednesday, August 17, 2011**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) **Introduce ordinance amending Chapter 13.20 - Electrical Service - Section 175 titled, "Schedule ECA - Energy Cost Adjustment"**
- b) **Introduce ordinance amending Chapter 13.20 - Electrical Service - Section 200 titled, "Schedule ED - Residential Share Program Service"**

Information regarding this item may be obtained in the Electric Utility Department, 1331 South Ham Lane, Lodi, (209) 333-6762. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 West Pine Street, 2nd Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

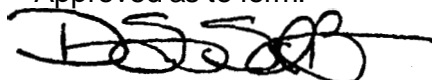
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:


Randi Johl
City Clerk

Dated: August 3, 2011

Approved as to form:



D. Stephen Schwabauer
City Attorney